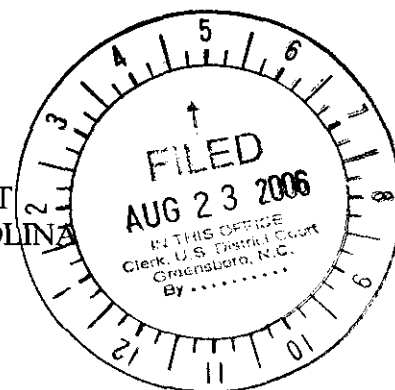


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



DATATREASURY CORPORATION

Plaintiff,

v.

MAGTEK, INC.,

Defendant.

1:06MC75

E.D. Tex. Civil Action No. 2:03-cv-00459-DF

**NON-PARTY CREATIVE PAYMENT SOLUTIONS INC.'S MOTION TO QUASH  
PLAINTIFF'S SUBPOENA**

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, non-party Creative Payment Solutions Inc. ("CPS") respectfully moves the Court for an order quashing the subpoena served on August 18, 2006 by DataTreasury Corporation in the above-referenced case. CPS' motion is made on the grounds that (1) the subpoena fails to allow reasonable time for compliance; (2) the subpoena requires disclosure of privileged or other protected matter and no exception or waiver applies; (3) the subpoena subjects CPS to undue burden; and (4) Defendant Magtek, Inc. has filed a Motion for Protective Order seeking to prevent the deposition of CPS from taking place and such motion is still pending. In support of this Motion, CPS has submitted its supporting memorandum contemporaneously herewith.

Respectfully submitted, this the 23rd day of August, 2006.

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Solutions, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I caused to be served the foregoing Motion to Quash on Plaintiff's counsel of record by electronic mail and by Federal Express, addressed as follows:

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This 23rd day of August, 2006.



E. Danielle Thompson Williams

Attorney for Non-Party Creative Payment  
Solutions, Inc.